

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
TWENTY-SEVENTH REGION

DTG OPERATIONS, INC.

Employer,
and

Case 27-RC-8629

TEAMSTERS LOCAL UNION No. 455,
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS,

Petitioner.

DIRECTION OF ELECTION

On December 15, 2010, the Petitioner, Teamsters Local Union No. 455, (Petitioner) filed a petition under Section 9(c) of the National Labor Relations Act,¹ seeking to represent certain employees of DTG Operations, Inc., (Employer) at its Denver International Airport location (DIA). After a Notice of Representation Hearing issued pursuant to Sections 3(b) and 9(c) of the National Labor Relations Act, a hearing in this matter was held on January 3 and 4, 2011. On January 28, 2011, the undersigned issued a Decision and Order dismissing the petition in this matter. In accordance with Section 102.67 of the National Labor Relations Board's Rules and Regulations, the Petitioner filed a timely request for review of the Decision and Order. The Employer filed an opposition to the Petitioner's request for review. On April 29, 2011, the Board granted the

¹ 29 U.S.C. 151 et seq

Petitioner's request for review. Both parties filed briefs on review. By Order dated December 30, 2011, the Board remanded this matter for purposes of directing an election in the petitioned-for unit.

Based upon the Board's Order in this matter, and for the reasons set forth therein, the following employees of the Employer constitute a unit appropriate for purposes of collective bargaining within the meaning of Section 9(b) of the Act:

INCLUDED: All full-time and regular part-time rental service agents and lead rental service agents employed by the Employer at its Denver International Airport rental car location.

EXCLUDED: All staff assistants, lead staff assistants, return agents, lot agents, service agents, lead service agents, fleet agents, exit booth agents, shuttlers, courtesy bus drivers, lead courtesy bus drivers, mechanics, assistant mechanics, bus mechanics, building maintenance technicians, all other employees, confidential employees, professional employees, managers, guards, and supervisors as defined by the Act.

DIRECTION OF ELECTION

The National Labor Relations Board will conduct a secret ballot election among the employees in the unit found appropriate above. The employees will vote whether or not they wish to be represented for the purposes of collective bargaining by:

**TEAMSTERS LOCAL UNION No. 455,
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS**

The election will be held at a date, time, and place (or dates, times, and places) to be determined by the Regional Director. The date, time, and place of the election will be specified in the Notice of Election that the Board's Regional Office will issue subsequent to this Direction of Election.

EMPLOYER TO SUBMIT LIST OF ELIGIBLE VOTERS

To ensure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses, which may be used to communicate with them. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Company*, 394 U.S. 759 (1969).

Accordingly, it is hereby directed that within seven (7) days of the date of this Direction of Election, the Employer must submit to the Regional Office an election eligibility list, containing the **full** name and addresses of all the eligible voters. *North Macon Health Care Facility*, 315 NLRB 359, 361 (1994). The list must be of sufficiently large type to be clearly legible. To speed both preliminary checking and the voting process, the names on the list should be alphabetized (overall or by department, etc.). Upon receipt of the list, I will make it available to all parties to the election.

To be timely filed, the list must be received in the Regional Office, 600 17th Street, 7th Floor, North Tower, Denver, Colorado, on or before **January 25, 2012**. No extension of time to file this list shall be granted except in extraordinary circumstances. Failure to comply with this requirement will be grounds for setting aside the election whenever proper objections are filed. The list may be submitted to the Regional Office by electronic filing through the Agency's website, www.nlr.gov,² by mail, or by facsimile transmission at (303-844-6249). The burden of establishing the timely filing and receipt of the list will continue to

² To file the eligibility list electronically, go to www.nlr.gov, select **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions

be placed on the sending party. Since the list will be made available to all parties to the election, please furnish a total of two (2) copies of the list, unless the list is submitted by facsimile or electronically, in which case no copies need be submitted. If you have any questions, please contact the Regional Office.

NOTICE OF POSTING OBLIGATIONS

According to Section 103.20 of the Board's Rules and Regulations, the Employer must post the Notices of Election provided by the Board in areas conspicuous to potential voters for a minimum of three (3) working days prior to the date of the election. Failure to follow the posting requirement may result in additional litigation if proper objections to the election are filed. Section 103.20(c) requires an employer to notify the Board at least five (5) working days prior to 12:01 a.m. of the day of the election if it has not received copies of the election notice. *Club Demonstration Services*, 317 NLRB 349 (1995). Failure to do so estops employers from filing objections based on non-posting of the election notice.

DATED at Denver, Colorado, this 18th day of January 2012.

A handwritten signature in cursive script that reads "Wanda Pate Jones". The signature is written in black ink and is positioned above a horizontal line.

Wanda Pate Jones, Regional Director
National Labor Relations Board, Region 27
Dominion Towers
600 17th Street, Suite 700, North Tower
Denver, Colorado 80202-5433